

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY E. WALKER,

Plaintiff,

v.

MINA BESHARA, ET AL.,

Defendants.

No. 1:20-cv-1050-NONE-HBK

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(Doc. Nos. 11, 12, 18, 23)

Plaintiff Jeffrey E. Walker, a civil detainee proceeding *pro se*, initiated this action by filing a civil rights complaint under 42 U.S.C. § 1983 on July 30, 2020. (Doc. No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 27, 2021, the magistrate judge issued findings and recommendations, recommending that three of plaintiff's motions for a temporary restraining order or an injunction be denied. (Doc. No. 23 (recommending denial of Doc. Nos. 11, 12, 18).) These findings and recommendations were served on plaintiff and contained notice that objections were to be filed within thirty days. (Doc. No. 23 at 8.) Plaintiff filed objections on June 9, 2021. (Doc. No. 27.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, including the objections, the court finds the findings and recommendations to be supported by the record and by proper

analysis.

Although plaintiff's objections take issue with some of the language or word choices employed in the pending findings and recommendations, plaintiff points to no errors in the legal analysis. Plaintiff's objections also state he is suffering from post-traumatic stress disorder, but identify no flaws with the magistrate judge's reasoning. Indeed, the magistrate judge considered plaintiff's alleged PTSD. (Doc. No. 23 at 7.) The court further notes that no defendant has been served in this action and injunctive relief is therefore premature. *See Zepeda v. U.S. Immigr. & Naturalization Serv.*, 753 F.2d 719, 727 (9th Cir. 1985) ("A federal court may issue an injunction if it has personal jurisdiction over the parties and subject matter jurisdiction over the claim; it may not attempt to determine the rights of persons not before the court.").


Accordingly,

1. The findings and recommendations, filed on May 27, 2021, are adopted in full; and

2. Plaintiff's motions for a temporary restraining order and preliminary injunction (Doc. Nos. 11, 12, 18) are denied.

IT IS SO ORDERED.

Dated: September 21, 2021

  
UNITED STATES DISTRICT JUDGE